

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 5/18/2018

IN RE:

APPLICATION OF THE CHILDREN'S
INVESTMENT FUND FOUNDATION (UK),
SIR CHRISTOPHER HOHN, and AXON
PARTNERS, LP FOR AN ORDER TO TAKE
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Applicants.

18-MC-104 (VSB)

ORDER

Upon consideration of the Application by the Children's Investment Fund Foundation (UK), Sir Christopher Hohn, and Axon Partners, LP (collectively, "Applicants") for an Order to Take Discovery Pursuant to 28 U.S.C. § 1782 (the "Application"), (Doc. 1), the Declaration of Lawrence Portnoy, Esq. in support of the Application and the accompanying exhibits thereto, (Doc. 6), the Memorandum of Law in support of the Application, (Doc. 5), and the letter, (Doc. 8), in response to my Order of May 8, 2018, (Doc. 7),


IT IS HEREBY ORDERED that:

1. The Application is granted.
2. Applicants are authorized to take discovery from Mr. Louis Klein, Mr. Anurag Bhargava, Mr. Steven Wisch, and IREO Management Subsidiary, LLC, relating to the issues identified in the Application, including issuing subpoenas in substantially similar form to those submitted to the Court as Exhibit 1 to Applicants' May 14, 2018 letter, (Doc. 8), and with this [Proposed] Order for the depositions of Klein, Bhargava, Wisch, and

IREO Management Subsidiary, LLC and for the production of documents from Klein, Bhargava, Wisch, and IREO Management Subsidiary, LLC.

3. Klein, Bhargava, Wisch, and IREO Management Subsidiary, LLC are hereby directed to comply with such subpoenas in accordance with the Federal Rules of Civil Procedure and the Rules of this Court, within 14 days of the date of this Order with respect to the subpoenas for the production of documents, and by June 29, 2018 with respect to the subpoenas for deposition testimony.
4. Lawrence Portnoy of Davis Polk & Wardwell LLP is hereby appointed to serve such subpoenas upon Klein, Bhargava, Wisch, and IREO Management Subsidiary, LLC and to take testimony in this matter before any certified court reporter authorized to take testimony and administer oaths in the State of New York, which court reporter is hereby authorized to take testimony in this matter.
5. This Court shall retain such jurisdiction as is necessary to effectuate the terms of such subpoenas.

Dated: May 18, 2018
New York, New York


Vernon S. Broderick
United States District Judge